

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 29**  
**HOUSE BILL 2230**

AN ACT

AMENDING SECTIONS 12-1574 AND 12-1577, ARIZONA REVISED STATUTES; RELATING TO WRIT OF GARNISHMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 12-1574, Arizona Revised Statutes, is amended to  
3 read:

4           12-1574. Issuance, service and return of writ; notice to  
5           debtor

6       A. When the judgment creditor has complied with the applicable  
7 provisions of sections 12-1572 and 12-1573, the clerk, justice of the  
8 peace or city or town magistrate shall issue a writ of garnishment of  
9 monies or property and a summons ~~directed to the sheriff, constable or~~  
10 ~~any officer authorized by law to serve process in the county where the~~  
11 ~~garnishee is alleged to be,~~ commanding ~~him to immediately summon~~ the  
12 garnishee to appear before the court out of which the writ issued within  
13 the time specified in the writ to answer the writ.

14       B. The writ shall state:

15           1. The amount of the outstanding balance due on the judgment,  
16 including accrued interest and allowable costs, as of the date of the  
17 issuance of the writ, and the rate at which interest accrues on that  
18 judgment.

19           2. The name and address of the garnishee or ~~his~~ THE GARNISHEE'S  
20 authorized agent.

21           3. The name and address of the judgment creditor and ~~his~~ THE  
22 JUDGMENT CREDITOR'S attorney, if applicable.

23           4. The last mailing address of the judgment debtor known to the  
24 judgment creditor.

25       C. The judgment creditor, in the manner required for a summons by  
26 rules of the court in civil matters OR BY CERTIFIED MAIL, RETURN RECEIPT  
27 REQUESTED, shall serve on the garnishee two copies of the summons and writ  
28 of garnishment, a copy of the underlying judgment, four copies of the  
29 answer form, two copies of the notice to judgment debtor and request for  
30 hearing form and one copy of the instructions to garnishee provided for in  
31 section 12-1596. IF SERVED BY CERTIFIED MAIL, THE EFFECTIVE DATE OF  
32 SERVICE IS THE DATE OF RECEIPT BY THE GARNISHEE.

33       D. Within three days, not including weekends and holidays, the  
34 garnishee shall deliver to the judgment debtor a copy of the summons and  
35 writ of garnishment, a copy of the underlying judgment and the notice to  
36 judgment debtor and request for hearing form.

37       Sec. 2. Section 12-1577, Arizona Revised Statutes, is amended to  
38 read:

39           12-1577. Service of writ on branch of financial institution

40       A. Monies owing to a judgment debtor by a banking corporation or  
41 association, savings bank, savings and loan association, credit union,  
42 trust company or title insurance company, maintaining branch offices, or  
43 credits or other effects belonging to a judgment debtor and in the  
44 possession of or under the control of ~~such~~ THE banking corporation or  
45 association, savings bank, savings and loan association, credit union,

1 trust company or title insurance company, may be levied ~~upon~~ ON by serving  
2 a copy of the writ of garnishment ~~upon~~ ON the manager or other officer of  
3 ~~such~~ THE banking corporation or association, savings bank, savings and  
4 loan association, credit union, trust company or title insurance company,  
5 at any office or branch ~~thereof located in the county~~ where ~~such~~ service  
6 is made. No garnishment shall be effective as to any debt owing by ~~such~~  
7 THE banking corporation or association, savings bank, savings and loan  
8 association, credit union, trust company or title insurance company, if  
9 the account evidencing ~~such~~ THE indebtedness is carried at an office or  
10 branch other than the office or branch named in the writ and at which  
11 service is made or as to any credits or other effects in its possession or  
12 under its control at any other office or branch, unless the service of the  
13 writ is accompanied by a cash tender of ~~twenty-five dollars~~ \$25 to the  
14 garnishee as costs for the search. ~~Upon~~ ON the payment of the search fee  
15 the writ shall be effective as to any debt owing by ~~such~~ THE banking  
16 corporation or association, savings bank, savings and loan association,  
17 credit union, trust company or title insurance company. ~~, if the account~~  
18 ~~evidencing such indebtedness is carried at any office or branch thereof~~  
19 ~~located in the county in which service is made or as to any credits or~~  
20 ~~other effects in its possession or under its control at any office or~~  
21 ~~branch thereof located in the county in which service is made, but shall~~  
22 ~~not be effective as to any debt owing by such banking corporation or~~  
23 ~~association, savings bank, savings and loan association, credit union,~~  
24 ~~trust company or title insurance company, if the account evidencing such~~  
25 ~~indebtedness is carried at an office or branch thereof located in a county~~  
26 ~~other than the county in which service is made or as to any credits or~~  
27 ~~other effects in its possession or under its control at any office or~~  
28 ~~branch thereof located in a county other than the county in which service~~  
29 ~~is made.~~

30 B. ~~The procedure provided in this section for the NOTWITHSTANDING~~  
31 ~~SUBSECTION A OF THIS SECTION, service of a writ of garnishment upon~~ ON any  
32 banking corporation or association, savings bank, savings and loan  
33 association, ~~OR credit union, trust company or title insurance~~  
34 ~~company, maintaining branch offices, shall be exclusive~~ MAY ALSO BE MADE  
35 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AT THE GARNISHEE'S REGULAR  
36 PLACE OF BUSINESS, OR TO THE GARNISHEE'S STATUTORY AGENT OR AT A LOCATION  
37 THAT IS DESIGNATED BY THE GARNISHEE. IF SERVED BY CERTIFIED MAIL, THE  
38 EFFECTIVE DATE OF SERVICE IS THE DATE OF RECEIPT BY THE GARNISHEE OR THE  
39 GARNISHEE'S STATUTORY AGENT.

APPROVED BY THE GOVERNOR MARCH 22, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2019.